

UNITED STATES DISTRICT COURT  
Northern District of California

BERTI PRODUCE,

No. C 11-03546 MEJ

Plaintiff(s),

v.

**CONDITIONAL DISMISSAL**

ROBERT SBRAGIA,

Defendant(s).

The Court, having been advised that the parties in the above-captioned matter have agreed to a settlement of this case, hereby **DISMISSES** this case with prejudice. However, if any party hereto shall certify to this Court, within **ninety days**, with proof of service thereof, that the agreed consideration for said settlement has not been delivered over, the foregoing order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial. The Clerk of Court shall close the file.

**IT IS SO ORDERED.**

Dated: September 6, 2012

  
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Maria-Elena James  
Chief United States Magistrate Judge